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Paper No. 19

Steven Bertrand
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COPY MAILED

NOV 19 2004

In re Application of :
Bertrand : DECISION ON PETITION
Application No. 09/734,003 :
Filed: December 12, 2000 :
For: SHOWER DEVICE :
:

OFFICE OF PETITIONS

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed July 12, 2004, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned May 22, 2003 for failure to timely reply to the non-final Office action mailed February 21, 2003. The Notice set a three (3) month shortened statutory period of time for reply. No extensions of time in accordance with 37 C.F.R. § 1.136 were timely requested. Notice of Abandonment was mailed August 26, 2003.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance with the provisions of 37 C.F.R. § 1.137(b). Accordingly, the failure to timely submit a proper reply to the non-final Office action is accepted as having been unintentionally delayed.

The correspondence address contained in the instant petition differs from that currently of record with the Office. If petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation must be submitted. A courtesy copy of this

Application No. 09/734,003

2

decision will be mailed to petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary.

Enclosed please find a change of correspondence address for petitioner's consideration.

This application will be forwarded to Technology Center 3700 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



Alesia M. Brown

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Office of Petitions

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